



**ఆంధ్రప్రదేశ్ రాజపత్రము**  
**THE ANDHRA PRADESH GAZETTE**  
**PUBLISHED BY AUTHORITY**

W.No.15

AMARAVATI, WEDNESDAY, APRIL 17, 2019

G.36

**PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC**

--X--

**NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,**

**CHIEF EXECUTIVE OFFICER,  
A. P. STATE WAQF BOARD, VIJAYAWADA.**

**KRISHNA DISTRICT - VIJAYAWADA RURAL MANDAL - NALLAKUNTA, GOLLAPUDI VILLAGE - DARGAH HQT. SYED MAZLI BABA - SRI SHAIK KHAZA S/o ISMAIL APPOINTED AS MUTHAWALLI AND SRI SHAIK MUSTAFA APPOINTED AS JOINT MUTHAWALLI U/SEC.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF (3) THREE YEARS W.E.F. 12-04-2016 EXPIRED ON 11-04-2019 - TERM OF THEIR MUTHAWALLISHIP EXTENDED FOR A FURTHER PERIOD OF (3) THREE YEARS w.e.f. 11-04-2019.**

- Read :
- 1) This office proceedings even No, Dt: 12-04-2016.
  - 2) Dismissal orders of Hon'ble A.P. Waqf Tribunal, Dt: 06-12-2018 in O.A No.03/2018
  - 3) Joint representation of Sri Shaik Khaza & Sri Shaik Mustafa, Dt: 02-01-2019
  - 4) Report of the I.A. Waqfs, Krishna District, Dated: 04-01-2019.
  - 5) This Office Notification, Dated: 09-01-2019, Published on 10-01-2019 in Vaartha daily District edition of Vijayawada.
  - 6) Report of the I.A. Waqfs, Krishna District, Dated: 21-01-2019
  - 7) Orders of the Hon'ble Chairperson, APSWB, Dt: 21-01-2019.
  - 8) The interim orders of Hon'ble High Court, Dt: 25-01-2019 in CRP No.46/2019.
  - 9) Joint representation of Sri Shaik Khaza & Sri Shaik Mustafa, Dt: 10-04-2019.
  - 10) Orders of the Hon'ble Chairperson, APSWB, Dt: 10-04-2019.
  - 11) Board's resolution No.43/2019, Dated: 12-04-2019.

\*\*\*

**F.No.25/KST/T/2016,-** The Waqf institution namely Dargah Hzt. Syed Mazli Baba situated at Nallakunta, Gollapudi village, Vijayawada Rural Mandal, Krishna District is a notified Waqf and published in A.P Gazette No.40, Dated:11-11-1999 at serial No.8, page No. 1564. The Dargah is existing to an extent of 400 sq.yds. in Sy.No.18/1 of Gollapudi village, Krishna District, under the Muthawalliship of Mohd. Abdul Azeem, who died in the year 2004.

In the circumstances briefed in reference 1<sup>st</sup> read above, and after adopting the due process of law, Sri Shaik Khaza S/o Ismail and Sri Shaik Mustafa were appointed as Muthawalli and Joint Muthawalli U/Sec 63 of Waqf Act, 1995 for the subject Dargah for a period of (3) there years w.e.f. 12-04-2016 which expired on 11-04-2019.

One rival person by name Sri Mirza Muzaffar Baig has intentionally due to personal grudges was happened to file a case in O.A No.03/2018 on the file of Hon'ble A.P Waqf Tribunal in the March of 2018 against the appointment of both the individuals after a lapse of above two (2) years from the date of their appointment. The Hon'ble Court, after full-fledge trial of the case, has passed the judgment dated.06-12-2018 holding that the appointment of both the individuals is good in law. Aggrieved by the judgment, the said Sri Mirza Muzaffar Baig filed appeal in CRP No.46/2019 on the file of Hon'ble High Court, in which interim exparte orders dated.25-01-2019 has been passed restraining the Waqf Board from extending the term of office of the Muthawalli in respect of both the individuals. The Hon'ble High Court, on considering the counter affidavits and arguments of both the appellant and the respondents in the said CRP, has pleased to dismissed the CRP on 15-03-2019 on merits of the case.

In the reference 3<sup>rd</sup> read above, the individuals submitted their joint representation with a request to extend their term of the office of Muthawalli for a further period of (5) years beyond 11-04-2019 in keeping view of their development activities like construction of compound wall around the Dargah and lying of Marble stones flooring inside the Dargah and construction of Niyaz Khana within the Dargah premises in the best interest of the Dargah and the devotees.

The Inspector-Auditor, Waqfs, Krishna District in his report vide reference 4<sup>th</sup> read above, while conforming the development activities taken up by both the said individuals, the Inspector has further informed that the payment of Waqf fund contribution by the individuals to Waqf Board U/Sec.72 of Waqf Act, 1995 is very prompt up to the year 2017-18 and that the performance of both the individuals under the capacity of Muthawalli and Joint Muthawalli is satisfactory. The Inspector has therefore suggested to consider the representation of both the individuals vide reference 3<sup>rd</sup> read above in the interest of subject Dargah.

As a due course of action, a paper citation vide reference 5<sup>th</sup> read above, has been published calling for the claims / objections over the term of extension of appointment of both the individuals within the stipulated period of (10) days from the date of citation with documentary evidence.

There are no any Claims / Objections received from anybody by the Waqf Board and the Inspector has also informed the same vide reference 6<sup>th</sup> read above.

The individuals / applicants have once again applied for extension of their term of the office of the Muthawalli vide ref. 9<sup>th</sup> read above, in view of the clearance from all the court litigations mentioned above.

Since there is no any bar from the Waqf Board to take up further necessary action to consider the request of the applicants, the matter has been placed before the Hon'ble Chairperson, who after perusal of the issue, has passed orders in the ref. 10<sup>th</sup> read above, to place the matter before the Board by Circular Agenda.

The Hon'ble Board members, having perused the entire issue, passed an unanimous resolution in the reference 11<sup>th</sup> read above, duly extending the term of Sri Shaik Khaza as Muthawalli and Sri Shaik Mustafa as Joint Muthawalli for a period of (3) years w.e.f. 11-04-2019 U/Sec.63 of Waqf Act, 1995 for the subject Dargah in the interest of Waqf.

Therefore, the term of Sri Shaik Khaza S/o Ismail as Muthawalli and Sri Shaik Mustafa as Joint Muthawalli is hereby extended for a further period of (3) three years w.e.f. 11-04-2019 in the interest of Waqf for the subject Dargah Hzt.Syed Mazli Baba, situated at Nallakunta, Gollapudi Village, Vijayawada Rural Mandal, Krishna District.

The Muthawalli and Joint Muthawalli should discharge their legitimate duties in according with the provisions of Act as envisaged U/Sec.44, 46, 47 (2) and 72 of the Waqf Act, 1995 has to account every single pie and maintain the accounts diligently and scrupulously and to follow the provisions of the law/Rules as enumerated, They also adhere to the instructions of Waqf Board issued from time to time.

**JANAB SYED SHABBAR BASHA,**

*I/c. Chief Executive Officer,*

*A. P. State Waqf Board,*

*Vijayawada.*

*Dated : 12-04-2019.*

To

- 1 . Sri Shaik Khaza, S/o Ismail,  
Mutawalli, Dargah Hzt. Syed Mazli Baba,  
Nallakunta, Gollapudi Village,  
Vijayawada Rural Mandal, Krishna District.
2. Sri Shaik Mustafa,  
Joint Mutawalli, Dargah Hzt. Syed Mazli Baba,  
Nallakunta, Gollapudi Village,  
Vijayawada Rural Mandal, Krishna District.

---X---